

**IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Brightwurks, Inc.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:13-cv-975 (CMH/TCB)
)	
HELPSCOUT.COM, <i>et al.</i>)	
)	
Defendants.)	
_____)	

**DECLARATION IN RESPONSE TO COURT'S ORDER ON PUBLICATION OF NOTICE
RE <HELPSCOUT.COM> and <HELP-SCOUT.COM>**

Shauna M. Wertheim, pursuant to 28 U.S.C. § 1746, declares and states:

1. I am counsel of record for the plaintiff in the above-styled matter and I have personal knowledge of the information set forth below.

2. On October 2, 2013, the Court entered an Order to publish notice of the present action regarding <HELPSCOUT.COM> and <HELP-SCOUT.COM>.

3. Subsequent to entry of the foregoing Order, the undersigned was contacted for the first time by counsel for Defendants, and the parties have since entered negotiations to resolve this matter. In addition, counsel for Defendants accepted service of the Complaint on behalf of Defendants. The original Waiver of Service of Summons signed by Defendant's counsel on October 14, 2013 was filed in paper form with the Court on October 18, 2013.

4. In view of the foregoing, service by publication has been rendered moot, and publication was not effected.

I declare under penalty of perjury that the foregoing is true and correct


Executed on: October 21, 2013


Shauna M. Wertheim, VSB #33690
Counsel for Plaintiff Brightwurks, Inc.
THE MARBURY LAW GROUP, PLLC
11800 Sunrise Valley Drive
15th Floor
Reston, VA 20191
Tel: (703) 391-2900
Fax: (703) 391-2901
swertheim@marburylaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of **October, 2013**, I will electronically file the foregoing Declaration with the Clerk of the Court using the CM/ECF system and that a copy was sent electronically and via first-class mail, postage pre-paid, to the following non-filing user:

Marc P. Misthal
GOTTLIEB RACKMAN & REISMAN, P.C.
270 Madison Avenue
New York, NY 10016-0601
mmisthal@grr.com
Counsel for Defendants


Shauna M. Wertheim, VSB #33690
Counsel for Plaintiff Brightwurks, Inc.
THE MARBURY LAW GROUP, PLLC
11800 Sunrise Valley Drive
15th Floor
Reston, VA 20191
Tel: (703) 391-2900
Fax: (703) 391-2901
swertheim@marburylaw.com